



Docket No.: SON-1905
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takaharu Kitada

Application No.: 09/665,667

Confirmation No.: 5559

Filed: September 20, 2000

Art Unit: 2876

For: INFORMATION PROCESSING SYSTEM,
HAND HELD CELLULAR PHONE, AND
INFORMATION PROCESSING METHOD

Examiner: D. St Cyr

REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF REJECTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in full and timely response to the Office Action mailed on February 29, 2008.

As an initial matter, the Advisory Action of May 15, 2008 indicates the non-entry of the Amendment After Final Action Under 37 C.F.R. §1.116 filed on April 4, 2008.

Paragraph 6 of the Office Action indicates a rejection of claims 27, 31, and 53-86 under 35 U.S.C. §103 as allegedly being unpatentable over McAllister in view of U.S. Patent No. 6,089,456 Walsh et al. (Walsh).

This rejection is traversed at least for the following reasons.

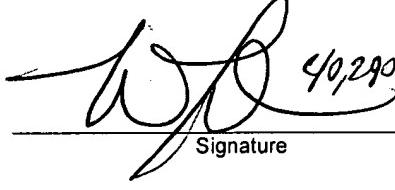
Claim 27 - Within the Amendment After Final Action Under 37 C.F.R. §1.116 of April 4, 2008, the features of prior claim 57 have been wholly incorporated into claim 27 to become amended claim 27.



Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)

Approved for use through xx/xx/200x. OMB 0651-00xx
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SON-1905	
		Application Number 09/665,667-Conf. #5559	Filed September 20, 2000
		First Named Inventor Takaharu Kitada	
		Art Unit 2876	Examiner D. St Cyr
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record.</p>		 _____ Signature <u>Christopher M. Tobin – Ronald P. Kananen</u> Typed or printed name	
Registration number <u>40,290 – 24,104</u>		(202) 955-3750	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		Telephone number _____ <u>May 29, 2008</u> Date	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

McAllister - The Office Action contends that McAllister teaches the presence of a modulation/demodulation circuit 54 (Office Action at page 2).

The Office Action further contends that McAllister teaches the presence of an RF processing section 200 (Office Action at page 2).

Whereas Figures 1 and 2 of McAllister teach the presence of a multiple technology data reader 10, Figure 6 of McAllister teaches the presence of a multiple technology data reader 200.

Here, the Office Action fails to explain how and why the multiple technology data reader 200 of Figure 6 (**second embodiment**) could be readily incorporated into the multiple technology data reader 10 of Figure 1 and 2 (**present embodiment**).

This absence of an explanation is apparent when taking into consideration the express teachings found within McAllister that Figures 5-10 illustrate six ALTERNATIVE system architectures in accordance with a multiple technology data reader 10 such as shown in Figure 1 and described herein (McAllister at column 4, lines 47-49).

As a result, McAllister fails to disclose, teach, or suggest a device that is capable of both:

- radiating a radio frequency transmission signal and receiving a radio frequency reception signal; and
 - generating electromagnetic field energy.
- **Thus, McAllister fails to disclose, teach or suggest:**
 - **a modulation/demodulation circuit adapted to demodulate entity information from a signal, said signal being receivable from an information providing medium; along with**

- *an RF processing section adapted to radiate a radio frequency transmission signal and adapted to receive a radio frequency reception signal.*

Moreover, McAllister is silent as to the presence of a display.

- *Thus, McAllister fails to disclose, teach or suggest a display, said entity information being viewable on said display.*

Walsh - The Office Action cites Walsh for the features that are deficient from within McAllister.

Figure 1 of Walsh arguably depicts a user device 100 that includes a telephone line interface 110, a microprocessor 114, a bar code reader 117, and a speaker 130.

Likewise, Figure 4 of Walsh arguably depicts a circuit diagram for a handheld low power user device having a cellular telephone interface 410, a microprocessor 414, and a bar code reader 417.

Figure 5 of Walsh arguably depicts a circuit diagram for a handheld low power user device having a cellular telephone interface 510, a microprocessor 514, and a bar code reader 517.

Walsh arguably teaches that in various optional embodiments the CCD scanner circuits of FIGS. 6A and 6B may be substituted for the bar code readers 117, 417 and 517 (supra) (Walsh at column 28, lines 27-30).

However, Walsh fails to disclose, teach, or suggest a device that is capable of both:

- radiating a radio frequency transmission signal and receiving a radio frequency reception signal; and
- generating electromagnetic field energy.

- ***Thus, Walsh fails to disclose, teach or suggest:***

- ***a modulation/demodulation circuit adapted to demodulate entity information from a signal, said signal being receivable from an information providing medium; along with***
- ***an RF processing section adapted to radiate a radio frequency transmission signal and adapted to receive a radio frequency reception signal.***

In addition, Walsh fails to disclose, teach, or suggest a modulation/demodulation circuit.

- ***Thus, Walsh fails to disclose, teach, or suggest a hand held terminal device wherein said modulation/demodulation circuit is adapted to generate electromagnetic field energy, an antenna body connected to said modulation/demodulation circuit being adapted to radiate said electromagnetic field energy and to receive said signal.***

Walsh fails to disclose, teach, or suggest entity information from a signal that is receivable from an information providing medium, the entity information being viewable on said display.

Walsh arguably teaches the presence of a display (element 128 of Walsh in Figure 1 and element 126 of Walsh in Figures 8-9).

However, Walsh is silent as to the entity information read by the bar code reader 117 being viewable on the display.

- ***Thus, Walsh fails to disclose, teach or suggest a display, said entity information being viewable on said display.***

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Claim 31 - Within the Amendment After Final Action Under 37 C.F.R. §1.116 of April 4, 2008, the features of prior claim 75 have been wholly incorporated into claim 31 to become amended claim 31.

McAllister - McAllister is silent as to the presence of a speaker.

- ***Thus, McAllister fails to disclose, teach or suggest a speaker, said received voice being audible by said speaker, wherein said entity information is audible by said speaker.***

Walsh - Figure 1 of Walsh arguably a speaker 130. Bar code reader 117 emits one or more narrow band light beams toward a bar code, measures the distance between reflected peaks of light, and generates a bar code signal at node 127 that is sent to microprocessor 114 (Walsh at column 17, lines 1-4).

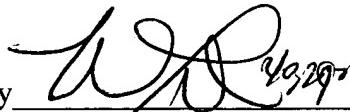
However, Walsh is silent as to the entity information read by the bar code reader 117 being audible by the speaker 130.

- ***Thus, Walsh fails to disclose, teach or suggest a speaker, said received voice being audible by said speaker, wherein said entity information is audible by said speaker.***

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Dated: May 29, 2008

Respectfully submitted,

By 
Ronald P. Kananen

Registration No.: 24,104
Christopher M. Tobin
Registration No. 40,290
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 23353
Attorney for Applicant



Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SON-1905	
		Application Number 09/665,667-Conf. #5559	Filed September 20, 2000
		First Named Inventor Takaharu Kitada	
		Art Unit 2876	Examiner D. St Cyr
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record.</p> <p>Registration number <u>40,290 - 24,104</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.</p> <p>Registration number if acting under 37 CFR 1.34. _____</p> <p><u>Christopher M. Tobin – Ronald P. Kananen</u> _____ Typed or printed name</p> <p>(202) 955-3750 _____ Telephone number</p> <p>May 29, 2008 _____ Date</p>			
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			